

T.P.S.5

THE CITY OF DUNDEE DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1972.
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND)
ORDERS

The Governor & Co., of the Bank of Scotland,
To Per W.M. Smith, Esq.,
Property Manager,
Uberior House,
61 Grassmarket,
EDINBURGH.

With reference to your application dated 28th November, 1979, for planning permission under the above-mentioned Act and Orders for the following development, viz:-

Dwelling flat to office

at 39 Murraygate (3rd floor), Dundee

The District Council in exercise of their powers under the above-mentioned Act and Orders hereby refuse planning permission for the said development.

The reasons for the District Council's decision are:-

the proposed development would prejudice the draft policy of retaining residential properties in the area as contained in the draft Central Area Local Plan.

Dated this
Issued on

10th
14th

CITY CHAMBERS,
DUNDEE.

day of March, 1980
March, 1980
James F. Loery
Director of Administration

(See over)

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with section 33 of the Town and Country Planning (Scotland) Act, 1972, within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise his power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the local planning authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning (Scotland) Act, 1972.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 135 of the Town and Country Planning (Scotland) Act, 1972.

(4) Any notice of appeal should be sent to the Secretary of State, Scottish Development, St. Andrew's House, Edinburgh, EH1 3DE, and a copy of the notice of appeal should be sent to the local planning authority.